

Council President Fred Willis called the regular meeting of the Mine Hill Township Council to order at 7:30 pm and led those present in the Pledge of Allegiance.

**OPEN PUBLIC MEETINGS NOTICE**

Mr. Bloom announced that adequate notice for this meeting had been given as required by law.

**ROLL CALL:** Present – Mr. Bloom; Ms. Kanzenbach Mr. Pepperman  
Absent – Mr. Coranato; Mr. Willis  
Also Present – Mr. Morris, Mayor; Mr. Oostdyk, Township Attorney; Mr. Thompson,  
Township Administrator; Ms. Macchia, Township Clerk  
Public Present – 8

**PRESENTATIONS**

**Al Thompson's Last Meeting**

A motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to cut the cake. The roll was called and the motion was approved by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom  
Nays: none  
Absent: Mr. Coranato; Mr. Willis  
Abstentions: none

**Spatial Data Logic Presentation**

Tom Hurley from Spatial Data Logic presented the SDL system.

**APPROVAL OF MINUTES**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the minutes of May 16<sup>th</sup> as presented. The roll was called and the motion was approved by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom  
Nays: none  
Absent: Mr. Coranato; Mr. Willis  
Abstentions: none

**COMMUNICATIONS & PETITIONS**

- a. NJ DOT re: Randolph Avenue Pedestrian Safety Improvement Project  
It was noted the Township did not receive the grant for additional sidewalk work because enough funds have already been obtained.
- b. Morris County Prosecutor re: Victim Advocacy Notice
- c. NJCM re: OPMA and OPRA Regulations

**PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED**

None.

**CONSIDERATION & APPROVAL OF VOUCHERS**

**Bills List**

Following brief discussion, a motion was made by Mr. Pepperman and seconded by Ms. Kanzenbach to approve the bills list as presented. Seeing no discussion, the motion was approved by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom  
Nays: none  
Absent: Mr. Coranato; Mr. Willis  
Abstentions: none

**ADMINISTRATIVE AGENDA**

Mr. Thompson explained that a resolution was added to this agenda for additional sewer gallonage for failing septic systems. This resolution is the first step to providing sewers to Gillen Street.

Mr. Thompson reported that another shed has been ordered for DPW equipment; this should give the department all the storage space that it needs.

Mr. Thompson thanked the Mayor and Council for the opportunity to serve as administrator over the last year and a half. He added that his wife, Barbara, is in the audience tonight; she came to his first Council meeting over 30 years ago and wanted to attend his last.

Mr. Morris appointed Bill Donnerstag to serve as zoning official. He and Ms. Blouse will be handling code enforcement matters going forward.

Mr. Morris reported that DPW has been working hard on various storm basin and sidewalk repairs. There is approximately \$56,000 left in the DPW budget, which is comfortable for the remainder of the year.

Mr. Morris advised the Council that he had great plans for sharing the services of an administrator, but those plans did not vet out through the State. Mr. Morris will assume the administrator’s duties, at no additional salary, for a couple of months until the appropriate replacement is found. He would like Council to assist him in the selection process.

**REPORTS OF COUNCIL LIAISONS**

**Recreation Committee**

No report.

**Board of Education**

No report.

**Fire & First Aid**

Mr. Pepperman reported that the Fire Department was busy last week assisting with a structure fire in Wharton. The Fire Department’s Circus is this Saturday.

**Police**

Mr. Pepperman reported that the Police Department has one new officer starting in July.

**Rockaway River Watershed**

No report.

**Open Space Committee**

Mr. Bloom reported that the committee is working on plans to utilize the grant money available for the trail system. Mr. Morris added that some of the work may be done in house and charged against the grant if allowed by the State.

**Community Committee**

Mr. Morris reported that the town-wide food drive was extremely successful. The Township might end up sharing some of the food with other pantries rather than risk having it expire before use.

**Planning Board**

Mr. Thompson reported that two variance applications are on going.

**OPEN TO THE PUBLIC**

Residents congratulated Mr. Thompson on his retirement.

**INTRODUCTION OF ORDINANCES**

**Ordinance 10-13 Land Use Chapter**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

- Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom
- Nays: none
- Absent: Mr. Coranato; Mr. Willis
- Abstentions: none

WHEREAS, the Planning Board of the Township of Mine Hill has recommended a complete revision to Chapter 25, entitled “Land Use Ordinance of the Township of Mine Hill”, of the Revised General Ordinances of the Township of Mine Hill; and

WHEREAS, this Ordinance is implementing the provisions of the Master Plan of the Planning Board of the Township of Mine Hill.

BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 25, “Land Use Regulations,” of the Revised General Ordinances of the Township of Mine Hill shall be amended to read, in its entirety, as set forth in the attached.

SECTION 2. This Ordinance may be renumbered for codification purposes.

SECTION 3. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This ordinance shall take effect 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

#### **CONSENT RESOLUTIONS**

A motion was made by Mr. Pepperman and seconded by Ms. Kanzenbach to approve the consent resolutions. The roll was called and the consent agenda was approved by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom  
Nays: none  
Absent: Mr. Coranato; Mr. Willis  
Abstentions: none

#### **Resolution 102-13 Chapter 159 – Bridget Smith House Grant**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mine Hill of in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,280.00, which is now available from the County of Morris in the amount of \$12,280.00.

BE IT FURTHER RESOLVED, that the like sum of \$12,280.00 is hereby appropriated under the caption County Grant Bridget Smith House; and

BE IT FURTHER RESOLVED that the above is the result of funds from the County of Morris in the amount of \$12,280.00.

#### **Resolution 103-13 Chapter 159 – Safe Routes to School Grant**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mine Hill of in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$15,500.00, which is now available from the State of New Jersey Department of Transportation in the amount of \$15,500.00.

BE IT FURTHER RESOLVED, that the like sum of \$15,500.00 is hereby appropriated under the caption Safe Routes to School; and

BE IT FURTHER RESOLVED that the above is the result of funds from the County of Morris in the amount of \$15,500.00.

#### **NON-CONSENT RESOLUTIONS**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve all of the liquor license renewal resolutions (numbers 104-13 through 108-13) as a consent agenda. The roll was called and the resolutions were approved by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom  
Nays: none  
Absent: Mr. Coranato; Mr. Willis  
Abstentions: none

**Resolution 104-13 Approval of Liquor License Renewal – L&L Package Store, Inc.**

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that the Township Council hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2013 and to expire at midnight on June 30, 2014.

<u>APPLICANT:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
L&L Package Store, Inc. For Plenary Retail Distribution License No. 1420-44-003-002	264 Route 46	\$750.00

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution 105-13 Approval of Liquor License Renewal – Zanotti, Inc. (Rest-A-Bit)**

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that the Township Council hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2013 and to expire at midnight on June 30, 2014.

<u>APPLICANT:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
Zanotti, Inc. T/A Rest-a-Bit Tavern For Plenary Retail Consumption License No. 1420-33-005-002	221 Route 46	\$1,200.00

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution 106-13 Approval of Liquor License Renewal – Mine Hill American Legion**

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that the Township Council hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2013 and to expire at midnight on June 30, 2014.

<u>APPLICANT:</u> Mine Hill American Legion Memorial Post 391 Club License No. 1420-31-006-001	<u>ADDRESS:</u> Spruce & Maple Streets	<u>FEE:</u> \$63.00
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BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution 107-13 Approval of Liquor License Renewal – Gold N Dough Partners, LLC (Cinders)**

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that the Township Council hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2013 and to expire at midnight on June 30, 2014.

<u>APPLICANT:</u> Gold N Dough Partners, LLC T/A Cinders Wood Fire Grill For Plenary Retail Consumption License No. 1420-33-007-011	<u>ADDRESS:</u> 319 Route 46	<u>FEE:</u> \$1,200.00
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BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution 108-13 Approval of Liquor License Renewal – MHBG Restaurant, LLC (NJ Bar & Grill)**

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, that the Township Council hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2013 and to expire at midnight on June 30, 2014.

<u>APPLICANT:</u> MHBG Restaurant, LLC T/A NJ Bar & Grill For Plenary Retail Consumption License No. 1420-33-002-005	<u>ADDRESS:</u> 100 Randolph Avenue	<u>FEE:</u> \$1,200.00
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BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

**Resolution 109-13 Authorizing Township Engineer to Sign Application for Gillen Street Sewer**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the resolution. The roll was called and the resolution was approved by the following vote:

Ayes:	Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom
Nays:	none
Absent:	Mr. Coranato; Mr. Willis
Abstentions:	none

WHEREAS, the Township of Mine Hill plans to extend sewer service to existing residences and businesses along Gillen Street; and

WHEREAS, Up to sixteen (16) existing lot owners along Gillen Street desire to connect to the proposed sewer extension; and

WHEREAS, connection to the Township’s sanitary sewer system requires the submission of a Treatment Works Approval (TWA) Application to the New Jersey Department of Environmental Protection (N.J.D.E.P.); and

WHEREAS, this application requires the consent of the Mayor and Township Council.

NOW THEREFORE BE IT RESOLVED that the Mayor and Township Council of the Township of Mine Hill, County of Morris, State of New Jersey, authorize Paul M. Sterbenz, P.E., Township Engineer to sign the application as required.

**Resolution 111-13 Requesting Additional Sewer Gallonage**

A motion was made by Ms. Kanzenbach and seconded by Mr. Bloom to approve the resolution. The roll was called and the resolution was approved by the following vote:

- Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom
- Nays: none
- Absent: Mr. Coranato; Mr. Willis
- Abstentions: none

WHEREAS, the Township of Mine Hill has an agreement with the RVRSA to treat sewerage from Mine Hill Township; and

WHEREAS, there is a need for additional sewerage treatment gallonage allocation to address failing septic systems within the Township; and

WHEREAS, NJ DEP approval is required for the RVRSA to approve additional gallonage to be allocated to the Township.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that the Township hereby requests an amendment to the agreement with the RVRSA to provide for 6,075 GPD of additional sewerage treatment capacity as a general reserve to address failing septic systems in the Township of Mine Hill, subject to NJ DEP approval; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Ms. Joanne Mondsini, Executive Director of the RVRSA, and Mr. Bob Martin, NJ DEP Commissioner.

**NEW & OLD BUSINESS**

**Discussion of AED Policy**

Mr. Morris noted that requirements will be coming from the State, and that the Township will have to establish a policy for the use of the AED. Matters such as training and liability will have to be discussed, and then a policy can be adopted by resolution.

**OPEN TO THE PUBLIC AND COUNCIL COMMENTS**

None at this time.

**CLOSED SESSION**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve Resolution 110-13 to enter Closed Session. It was noted that no action would be taken upon return to Open Session. The roll was called, and the resolution was approved by the following vote:

- Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Bloom
- Nays: none
- Absent: Mr. Coranato; Mr. Willis
- Abstentions: none

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY as follows:

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL  
REGULAR MEETING – June 20, 2013

7-2013-06-20

1. The public shall be excluded from discussion of the specified subject matter(s) set forth in paragraph 2 below.
2. The subject matter(s) to be discussed are as follows:
  - Litigation – Potential Litigation: Jackson Brook Interceptor
  - Personnel Matter – Specify
  - Contract Negotiation – Specify
  - Attorney-Client Privilege – Specify
  - Collective Bargaining Agreement – Specify
  - Other – as authorized by N.J.S.A. 10:4-12 – Specify
3. Minutes of the closed session and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.
4. The Township Council may come back into open session and take further action.
5. This Resolution shall take effect immediately.

At the conclusion of Closed Session discussion, upon motion duly made and seconded, the Council returned to Open Session.

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Pepperman and seconded by Mr. Bloom to adjourn the meeting at 9:40 PM. The motion was approved by a voice vote.

Respectfully Submitted,

Amanda G. Macchia, RMC  
Mine Hill Municipal Clerk

Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Council President